

Exhibit 132

From: Squires, Kim <kim_squires@fws.gov>
Sent: Thursday, September 07, 2017 12:22 PM
To: Zeppetello, Marc@BCDC
Subject: Re: FW: Westpoint Harbor
Attachments: 20030403 Informal Consultation Proposed West Point Marina.pdf

Thanks Marc,

Once I get the full three pages of our letter I will review you letter and comment as needed. For your reference, here's our copy of the informal consultation letter to the Corps minus page 2 but with page 3.

Kim Squires
Section 7 Division Chief
US Fish and Wildlife Service
Bay Delta Fish & Wildlife Office
650 Capitol Mall, Suite 8-300
Sacramento, CA, 95814
O: 916-930-5634
C: 916-799-0089

On Wed, Sep 6, 2017 at 11:41 AM, Zeppetello, Marc@BCDC <marc.zeppetello@bcdca.gov> wrote:
Kim,

To follow up on our conversation this morning, this is the email that I sent to Jared Underwood and Terris Kasteen at CDFW last week re: BCDC's enforcement action regarding Westpoint Harbor Marina in Redwood City.

I found BCDC's file copy of the USFWS letter you mentioned re: ESA consultation, dated 4/11/03. Our file copy consists of pages 1 and 2, and is missing page 3. We are going to make an informal request to the Corps to see if they have a copy of the entire letter; if we receive it, I'll forward a copy to you.

Regards, Marc

Marc A. Zeppetello
Chief Counsel
San Francisco Bay Conservation
and Development Commission
455 Golden Gate Avenue, Suite 10600
San Francisco, CA 94102

Telephone: (415) 352-3655
marc.zeppetello@bcdca.gov

From: Marc Zeppetello <Marc.Zeppetello@bcdca.gov>
Date: Tuesday, August 29, 2017 at 2:14 PM
To: "Underwood, Jared" <jared_underwood@fws.gov>, "Kasteen, Terris@Wildlife" <Terris.Kasteen@wildlife.ca.gov>
Cc: Ivette Loreda <ivette_loredo@fws.gov>, Anne Morkill <anne_morkill@fws.gov>, Marc Zeppetello

<Marc.Zeppetello@bcdcc.ca.gov>

Subject: Re: Westpoint Harbor

Jared and Terris,

Attached is a copy of the Violation Report/Complaint for the Imposition of Administrative Civil Penalties (Violation Report) issued by BCDCC's Executive Director to Mark Sanders and Westpoint Harbor, LLC concerning violations of BCDCC's permit for Westpoint Harbor in Redwood City. The hearing date has been rescheduled from the date shown on page 1 of the Violation Report. BCDCC's Enforcement Committee will hold a public hearing on this matter on October 19, 2017.

A number of conditions of BCDCC's permit require the permittee to obtain approval from or consult with the U.S. Fish & Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW). For your convenience, those conditions are summarized below, and I have provided references to the paragraphs (and pages) of the Violation Report discussing the alleged violations of those conditions.

BCDCC's permit requires the permittee to provide shorebird roost habitat mitigation, and states that the habitat creation plans shall be reviewed and approved by BCDCC ³after consultation with² USFWS and CDFW. The permit also requires the permittee to provide non-tidal wetlands mitigation, and states that the habitat enhancement plans "shall be reviewed and approved² by USFWS and CDFW and by BCDCC. These conditions, and the alleged violations of these conditions, are discussed in Paragraph VI.AAA (page 32), Paragraph VI.RRR (page 38), and Paragraph VI.UUU (page 39) of the Violation Report.

BCDCC's permit requires the permittee to install buoys in Westpoint Slough containing signs informing the public that public access into the marshlands of the San Francisco Bay National Wildlife Refuge is prohibited, and states that the permittee shall coordinate with San Francisco Bay National Wildlife Refuge (Refuge) on the wording and location of buoys. The same permit condition requires the permittee to install buoys adjacent to the navigation channel of Westpoint Slough to identify the ³No Wake² speed zone, delineate the center of the channel for adequate draw, and discourage boats from deviating out of the navigable channel; this provision was apparently included in the permit based on USFWS comments and was intended to prevent erosion of tidelands and protect the Refuge. The permit also requires the permittee to install information signs at the boat launch and other public access areas informing the public of the access restrictions on Greco Island and other wetlands in the Refuge, and states that the draft wording and locations of the signs ³shall be coordinated with" USFWS, CDFW, and BCDCC staff. These conditions, and the alleged violations of these conditions, are discussed in Paragraph VI.M.5 (page 12), Paragraph VI.T.1 (page 15), Paragraph VI.EE.4 (page 23), Paragraphs VI.YY-ZZ (pages 31-32), and Paragraph VI.LLL (page 36) of the Violation Report. Note that there is a typographical error in Paragraph VI.LLL (page 36), in clause (6): it should read ³§(6) there is no evidence⁵ (not ³§there is evidence⁵).

Finally, although the condition does not refer to USFWS or CDFW, the permit also requires the permittee to provide visual barriers between the active marina areas and the adjacent salt pond to reduce disturbance to water birds using the salt pond. This condition, and the alleged violation of this condition, are discussed in Paragraph VI.M.6 (page 12), Paragraph VI.T.6 (page 17), and Paragraph VI.EE.5 (page 23).

If USFWS or CDFW would like to comment on any of these permit conditions and alleged violations, or any other issues raised in the Violation Report, please do so by no later than October 5th if you would like your comment letter included in the mailing to the Enforcement Committee. You are also welcome to provide oral comments, or submit written comments, at the Enforcement Committee hearing on October 19th.

Please contact me if you have questions or if you would like to discuss any of the permit conditions or alleged violations.

Marc A. Zeppetello
Chief Counsel
San Francisco Bay Conservation
and Development Commission
455 Golden Gate Avenue, Suite 10600
San Francisco, CA 94102

Telephone: (415) 352-3655
marc.zeppetello@bcdc.ca.gov

From: Mullen, Danielle M CIV USARMY CESP (US) <Danielle.M.Mullen@usace.army.mil>
Sent: Wednesday, September 13, 2017 2:05 PM
To: adrienne.klein@bcdcc.ca.gov
Subject: Westpoint Harbor Marina 1996-224540
Attachments: USACE Decision Document.pdf

Hi Adrienne,
Please see the attached decision document.

Danielle Mullen
Senior Regulatory Project Manager
U.S. Army Corps of Engineers
San Francisco District
415.503.6783

From: Dill, Keren@Parks <keren.dill@parks.ca.gov>
Sent: Friday, September 15, 2017 3:19 PM
To: Zeppetello, Marc@BCDC
Subject: west point marina signage
Attachments: 334.JPG

Keren Dill, Chief
Boating Facilities Development and Financing Unit
Ph: 916-327-1809
Fax: 916-327-1771

Department of Parks and Recreation
Division of Boating and Waterways
One Capitol Mall, Suite 500
Sacramento, CA 95814